



## POWER OF ATTORNEY BY ASSIGNEE

(Not Accompanying Application)

To the Commissioner of Patents and Trademarks:

The undersigned assignee of the entire interest in application for letters patent entitled:  
NOVEL METHODS OF DIAGNOSIS OF PROSTATE CANCER AND/OR BREAST CANCER,  
COMPOSITIONS, AND METHODS OF SCREENING FOR PROSTATE CANCER AND/OR BREAST  
CANCER MODULATORS

and having the named inventors: Peter HEVEZI, David MACK, Kurt C. GISH and Keith E. WILSON  
filed April 30, 2001, Serial No. 09/847,046.

hereby appoints the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; said appointment to be to the exclusion of the inventor(s) and his (their) attorney(s) in accordance with the provisions of 37 C.F.R. 1.32:

Harold C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Donald N. MacIntosh, Reg. No. 20,316; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Richard E. Backus, Reg. No. 22,701; Robert B. Chickering, Reg. No. 24,286; Richard F. Trecartin, Reg. No. 31,801; Steven F. Caserza, Reg. No. 29,780; Michael A. Kaufman, Reg. No. 32,988; Edward N. Bachand, Reg. No. 37,085; R. Michael Ananian, Reg. No. 35,050; Robin M. Silva, Reg. No. 38,304; Maria S. Swiatek, Reg. No. 37,244; Todd A. Lorenz, Reg. No. 39,754; James J. Diehl, Reg. No. 47,257; Edwin Ching, Reg. No. 34,090; provided that if any one of said attorneys ceases being affiliated with the law firm of Flehr Hohbach Test Albritton & Herbert LLP as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

In accordance with 37 CFR 3.73 the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

Direct all telephone calls to DAVID J. BREZNER, ESQ. at (415) 781-1989.

Address all correspondence to:

DAVID J. BREZNER, ESQ.  
FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
Four Embarcadero Center - Suite 3400  
San Francisco, California 94111-4187

Assignee: Eos Biotechnology, Inc.

By: \_\_\_\_\_

*David W. Martin, Jr.*  
(typed name)

Signature: \_\_\_\_\_

*Dr. Martin, Jr.*

Title: \_\_\_\_\_

*President + CEO*

Address: \_\_\_\_\_

225A Gateway Boulevard

South San Francisco, California 94080

Date: Aug 24, 2001

1057468

File No.: A-69199-1/DJB/JJD